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Mr. Horst Greczmiel
Associate Director for NEPA Oversight
Council on Environmental Quality
722 Jackson Place NW
Washington DC 20503

VIA email: hgreczmiel@ceq.eop.gov

Re: Proposed Guidance, "Establishing, Revising and Using Categorical Exclusions under the National Environmental Policy Act" (71 Fed Reg 54816, Sept. 19, 2006)

Dear Mr. Greczmiel:

Devon Energy would like to thank the Council on Environmental Quality (CEQ) for the extension of time and the opportunity to comment on the referenced document. Devon's Western Division conducts oil and gas operations on federal, state, tribal and fee lands in Montana, Wyoming, Utah, New Mexico and Texas and therefore is directly impacted by the implementation of this guidance for Categorical Exclusions (CX).

Devon is also a member of Public Lands Advocacy (PLA) and the American Petroleum Institute (API) which will be submitting comments on behalf of their membership under separate cover. Devon hereby supports and incorporates by reference comments submitted by both organizations.

Devon appreciates CEQ's efforts to provide guidance "to assist Federal agencies in improving and modernizing their administration of categorical exclusions under NEPA". Our main concern is that the CEQ clarify that this guidance is not intended to pertain to the statutory CX's contained in the Energy Policy Act of 2005. It is important that the CEQ recognize that in the case of statutory CXs the enabling statute would provide all necessary reference for guidance. Therefore, we would request that the CEQ clarify in the introduction to the guidance document that this guidance document does not apply to statutory CXs.

Devon appreciates the work of the CEQ in creating this guidance and hopes that the document will encourage all land management agencies to routinely utilize the CXs where applicable and that this guidance will ensure that additional unnecessary NEPA documentation is eliminated and thereby streamline the processes as the CXs are intended to do.

Thank you for the opportunity to provide comment and if additional information is needed please do not hesitate to contact me at 405-228-8209.

Sincerely,

Linda Guthrie
Sr. Regulatory Specialist